

Practitioner's Docket No. D-1159 R1 DIV

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Preliminary Classification:

Proposed Class: 235

Subclass: 379

Mail Stop Patent Application

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): H. Thomas Graef; Edward L. Laskowski; William D. Beskitt; Michael Harty; Jeffrey Eastman; Richard J. Phelps; Natarajan Ramachandran

For (title): AUTOMATED BANKING MACHINE

1. Type of Application

This transmittal is for a divisional application.

2. Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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[ ] deposited with the United States Postal Service in an envelope addressed to the Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. Section 1.8(a)

37 C.F.R. Section 1.10\*

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TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office (703)

Date: 4/21/2004

Signature

Ralph E. Jocke

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal--page 1 of 4)

The new application being transmitted claims the benefit of prior U.S. applications. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

**3. Papers Enclosed**

**A.** Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

38 Page(s) of Specification

16 Page(s) of Claims

22 Sheet(s) of Drawing(s)--Formal

**B.** Other Papers Enclosed

4 Page(s) of Declaration and Power of Attorney

1 Page(s) of Abstract

9 Page(s) of Application Data Sheet

6 Page(s) of Preliminary Amendment

3 Page(s) of Information Disclosure Statement and PTO/SB/08A

**4. Declaration or Oath**

Enclosed

Executed by:

\* inventors.

**5. Inventorship Statement**

The inventorship for all the claims in this application will be provided.

**6. Language**

English

**7. Assignment**

An assignment of the invention to Diebold, Incorporated was provided in the prior application and is recorded at Reel/Frame: 012326/0797.

**8. Cancellation of Claims**

Kindly cancel claims 3-15, 18-39, 43, and 45-67 without prejudice prior to calculating the filing fee.

**9. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	7	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	2	- 3 =	0 x	\$84.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00

Filing Fee Calculation \$770.00

**10. Fee Payment Being Made at This Time**

Enclosed Filing Fee \$770.00

**Total Fees Enclosed** \$770.00

**11. Method of Payment of Fees**

Charge Account No. 09-0428 (InterBold) in the amount of \$770.00.  
A duplicate of this transmittal is attached.

**12. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428 (InterBold).

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

**13. Instructions as to Overpayment**

Credit Account No. 09-0428 (InterBold).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**14. Relate Back**

**A. 35 U.S.C. Section 120, 121 and 365(c)**

This Application is a divisional of 09/993,070 filed 11/13/2001.

This 09/993,070 is a continuation-in-part of 09/911,329 filed 7/23/2001  
which is a continuation-in-part of 08/980,467 filed 11/28/1997.

This 09/993,070 is a continuation-in-part of 09/390,929 filed 9/7/1999.

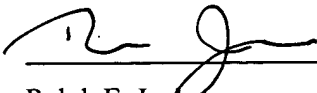
This 09/993,070 is a continuation-in-part of 09/664,968 filed 9/19/2000.

**B. Claim of Benefit of Prior Application Under 35 U.S.C. § 119(e)**

09/993,070 claims benefit of Provisional Application No. 60/338,919 filed 11/05/2001.

09/390,929 claims benefit of Provisional Application No. 60/100,758 filed 09/07/1998.

09/664,698 claims benefit of Provisional Application No. 60/155,281 filed 09/21/1999.

  
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